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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|--|------------------------------------|
| 10/707,841 | 01/16/2004 | Haining S. Yang | FIS920030235US1 | 1840 |
| <div>7590 06/05/2007 Andrew M. Calderon Greenblum and Bernstein P.L.C. 1950 Roland Clarke Place Reston, VA 20191</div> | | | <div>EXAMINER CHEN, JACK S J</div> | |
| | | | <div>ART UNIT 2813</div> | <div>PAPER NUMBER</div> |
| | | | <div>MAIL DATE 06/05/2007</div> | <div>DELIVERY MODE PAPER</div> |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10707841 | 1/16/04 | YANG ET AL. | FIS920030235US1 |

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EXAMINER

Jack Chen

ART UNIT

PAPER

2813

20070528

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Jack Chen
Primary Examiner
Art Unit: 2813

DETAILED ACTION


1. The reply filed on 7/11/06 through 10/19/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): 1) Applicant's election with traverse of Species I within the invention of Group I, in the reply filed on July 11, 2006 is acknowledged. However, it should be noted that Applicant had already elected Species I within the invention of Group I WITHOUT traverse dated 10/26/05, therefore, the record of instant Application with respect to Applicants' election is inconsistent; 2) it appears that Applicant was trying to indicate that claims 1-17 and 31 read on the newly submitted fig. 2. However, the newly submitted fig. 2 is directed to an invention that is independent or distinct from the originally elected species I because the original species I (figs. 2A-2L) fails to provide both an n-type device and p-type device, etc. 3) Applicant further indicated that paragraphs 34 and 36 of the instant application described the instant claimed invention. However, the original paragraphs 34 and 36 of the instant specification fail to indicate that Figs. 2A-2L including both n-type and p-type device, and having different STI oxide thickness. Therefore, none of the pending Claims read on the original elected Species I (Figs. 2A-2L). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chen whose telephone number is (571)272-1689. The examiner can normally be reached on Monday-Friday (8:00am-4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W. Whitehead can be reached on (571)272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jack Chen
Primary Examiner
Art Unit 2813

May 28, 2007